

Naples City Council September 27, 2012 Minutes

The regularly scheduled meeting of the Naples City Council was held September 27, 2012, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds. Robert Hall was absent.

COUNCIL MEMBERS ATTENDING

Others attending were Jim Harper, Kelly Joseph, Amberlee Partridge, Tanesha Harvey, Julie Harrison, Lamond Harrison, Charles White, Marydith White, Denice Stringham, Bret Stringham, Clint Barton, Cliff Grua, Dave Hatch, Erin Mayberry, Shane Mayberry, Brent Cooper, Kristene Cooper, Mark Watkins, Chris Hoem, Connie Patton, and Nikki Kay.

OTHERS ATTENDING

At 7:30 p.m. Mayor Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Dennis Long offered the invocation.

OPENING CEREMONY

Mayor Baker said he would like to add a letter to the Utah Division of Oil & Mining to the agenda. Councilman Long said he also had one item to be added under 'Other Matters.' Mayor Baker asked for approval of the agenda. Dennis Long **moved** to approve the agenda as amended. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of the September 13, 2012 regular council meeting. Dan Olsen **moved** to approve the minutes. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

MINUTES APPROVED

Mayor Baker asked if anyone had anything to discuss or follow up on from the previous meeting. Nothing was brought forward.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Connie Patton presented the bills in the amount of \$28,051.18 and asked to add an additional \$265.78 for an invoice to Rocky Mtn Power for a total of \$28,316.96. Dan

APPROVAL OF THE BILLS

Olsen **moved** to approve the amount as presented with the additional bill added. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

A business license application was received from **Morcon Specialty** located at 573 South 1100 East. Mayor Baker stated this business is located in a new building and is in the proper zone. Gordon Kitchen **moved** to approve the business license for Morcon Specialty. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

***BUSINESS LICENSE
APPROVAL***

Shauna Jo Eves with the Uintah Recreation District came before the Council requesting their support of the annual Halloween Mayor's walk and fall festival. Ms. Eves said, in the past, the Council has donated \$1,000 to the event and she asked if the Council could show their support by donating the same amount again this year. Dennis Long **moved** to approve the request. Gordon Kitchen **seconded** the motion.

***UINTAH RECREATION
DISTRICT REQUEST***

Councilman Kitchen encouraged everyone to try and show up in support of the event.

The motion passed with the following roll call vote:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Kelly Joseph with Epic Engineering came before the Council to explain the addendum to their contract for the 2500 South intersection project. Mr. Joseph said Epic Engineering will be doing some additional work involved with extending the construction project on 2500 south. Mr. Joseph said they will be doing some additional surveying, additional meetings, drafting, and construction management. He said the total cost of the addendum will be \$4,500. The additional work will be to add box culverts on the south side of the road.

***ADDENDUM TO EPIC
ENGINEERING
CONTRACT***

Councilman Kitchen **moved** to approve the addendum as presented. Dan Olsen **seconded** the motion. The motion passed with a roll call vote as follows:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Dennis Long **moved** to go into a public hearing to discuss Maple Lane Homes Subdivision (fka Fairway Manor Subdivision) located at 1000 South 2000 East. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

***PUBLIC HEARING TO
DISCUSS MAPLE LANE
HOMES SUBDIVISION***

Chris Hoem explained the plans for Maple Lane Homes Subdivision. He stated that Mr. Cooper, the owner of the subdivision, wanted to change the zone but was voted down by the Planning Commission. Mr. Cooper then came up with a new plan that complies with the zone. Chris said the new plan was submitted to the Planning Commission and they recommended approval of the subdivision. Mr. Cooper was in attendance and said he feels like everything is pretty straightforward. Mayor Baker opened it up for public comment. Bret Stringham wanted to know about the sidewalks and green space from the property line to the sidewalk. He wanted to know if the Council made any decision on that. Chris Hoem said the Ordinance says the developer has to have a minimum of five feet of sidewalk and it is up to their discretion if they want to have a green strip. Chris said if they are maintained they look nice and it is a good place to put snow. He said if they are not then they turn into a weed patch. Mr. Stringham wanted to know if that has to be done before construction begins. Chris said it has to be done before a certificate of occupancy is issue. Denise Stringham commented about the sidewalk on 1000 South and how small it is and how unsightly with all of the weeds. Mr. Stringham wanted to know if there would be a home owner's association with this development. Mr. Cooper said there would not.

Larry White also commented on the over grown weeds near the sidewalk on 1000 South and how worthless the sidewalk is because you can't walk on it.

Mr. Stringham wanted to know why they don't fill in the gap

on 1000 South with cement. Mayor Baker said they would put that on a future project list.

Jim Harper wanted to know about the drainage for the subdivision. Chris Hoem said the subdivision has a green belt on the north end and that should take care of it. Mr. Cooper said the area being subdivided is only 150' and the rest is green space and drains onto his property. He said it has been draining that way for over a hundred years so they aren't setting any precedent.

Dave Hatch with Ashley Valley Water and Sewer said the existing stub outs will be on the neighbor's property and those will need to be addressed. Chris said there is a ten-foot utility easement that will allow for that. Mr. Cooper said he put an overlay of the old plan on top of the new one and every sewer stub out will be utilized and one water stub out will need to be moved. Mr. Cooper said the telephone lines might be an issue. Mr. Cooper said they don't have any boxes for the power yet but those will be between the property lines.

Mrs. Stringham wanted to know if Mr. Cooper was going to move his trailer once he builds a house. Mr. Cooper said he doesn't know yet he is focused on the subdivision. Dan Olsen **moved** to close the public hearing. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Gordon Kitchen **moved** to approve the plan for Maple Lane Homes Subdivision. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Chris Hoem updated the Council regarding Phase II of the Farm Subdivision at 1900 South 2000 East. Chris said they ran into a problem with adequate emergency vehicle access for phase II of the subdivision. Chris said according to the International Fire Code the fire code official is authorized to require more than one fire apparatus vehicle road based on impairment of a single road by vehicle congestion, conditions of the terrain, or other factors that can limit access. Chris said the fire code official shall have authority to require an increase in the minimum access widths when they are inadequate for fire or rescue operations. Chris said they need to determine if there is going to be a second access road or a wider road going back into the subdivision that would be safe. Chris said there could be a road on the north side of the

***FINAL PLAN APPROVAL
AND TRUST AGREEMENT
WITH RAY NASH FOR
PHASE II OF THE FARM
SUBDIVISION***

gulch that would connect to 2000 East and connect to the dead end for a second access. Councilman Olsen wanted to know if that would be a paved road or a dirt road. Chris said the material is not specific it just has to support 75,000 pound axle weight. Chris said an engineer would have to prove that whatever material they use can support 75,000 pound axle weight. Chris said this would be a temporary thing because the subdivision plans do include a paved road to be built there in the future. Chris said the other option would be to require forty-four feet of asphalt on the south road, which would be another ten feet of asphalt and would be wide enough when you add in the curb gutter and sidewalk. Councilman Kitchen said they would still need a cul-de-sac turn around. Chris said with option number two they would have to have the turn around. Chris showed them the tentative budget and stated that option one would require a larger loan from the bank for the developer to cover the cost of the road on the north. Chris said Mr. Nash has not had enough time to consider both options but Chris wanted to get the opinion of the Council. Cliff Grua said he spoke with Mr. Nash and he wants to comply with whichever option the Council decides. Mr. Grua said they can have their plat revised in a day to accommodate whatever is decided. He said they are just anxious to move on. Mayor Baker said he thought it would be a cheaper solution for them to go with the wider road. Mayor Baker told Mr. Grua they should plan for 40' roads in the rest of the subdivision because that is the current discussion with the Planning Commission. Mr. Grua wanted to know if a 40' road would be adequate for phase II. Mayor Baker said in his opinion it would be. Councilman Kitchen said they are basically saying to widen the road, put in the cul-de-sac turn around, and move forward. Councilman Long wanted to know if they were willing to make the lots a little bit smaller in order to accommodate the wider road. Mr. Grua stated they were. Dennis Long **moved** to approve the wider width road (40') with the cul-de-sac turn around at the end and to move forward. Chris Hoem referenced the trust account agreement and said new numbers would need to be added according to the new budget and thought they could take care of that in-house if the Council would approve it. Mayor Baker asked for clarification of the width of the asphalt. Councilman Kitchen wanted to know if 40' meets the fire code. Chris Hoem said just barely. After discussing if 40' was adequate, Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

Chris Hoem wanted the Council to know that they have a

UPDATE ON PLANNING

great Planning Commission board and they do a great job. Chris said they all try and attend the meetings but sometimes it is hard and they average 70 to 80 percent attendance. Kerry Kinney is an alternate member of the Commission and would like to make it easier for his voice to be heard and suggested that his wife become an alternate member and sit in his place when he is not able to attend. Chris said they discussed the idea in Commission meeting and determined that would be fine but they can't both vote. Chris said he spoke with Dennis about the matter and the bylaws don't cover this, the Planning Commission would have to change the bylaws. Mr. Stringham volunteered to serve on the Planning Commission. Mayor Baker wanted to know how many members they can have. Chris said they have to have five regular members and they can have zero to five alternate members. Mayor Baker said they currently have two members and could add two more to that tonight. Councilman Kitchen said he had some concerns with having two members of the same family serving on the board.

COMMISSION ALTERNATE MEMBER AND TIME FOR COMMISSION MEETINGS

Mayor Baker asked Chris about changing the starting time for meeting. Chris said many of the members are late in getting to the meeting and he feels it wastes the time of those who show up on time. Chris wanted to change the starting time of the Planning Commission meetings to 7:30 p.m. and said the change will be noticed in the paper beginning next week.

Mayor Baker wanted to recommend appointing Bret Stringham to the Planning Commission as an alternate member. Dennis Long **moved** to approve the Mayor's recommendation and to approve the change in Commission meeting start time. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Three road cut requests were given to the Council for their approval. The first request was located at 2731 East 1500 South. Nikki Kay said she wasn't sure if the road cut at this address was for one road cut or for two. A request was submitted by Ashley Valley Water & Sewer (AVW&S) for new service and Clint Barton submitted a request for a sewer tie in. Dave Hatch with AVW&S told the Council he wasn't sure why he was there because if a building permit has been issued for a new home the water and sewer connection should already be approved with that permit. Council members were not sure why he should be required to be to the meeting either. Mayor Baker said he knows they require it on new roads with a moratorium. Nikki Kay told the Council

ROAD CUT REQUESTS

that she understood the Council wanted to approve all road cut permits and with Craig not being in the office it was decided to put the road cut permits on the agenda. Clint Barton said it would help if the road cut permit were tied in with the building permit so when you get a building permit you don't have to back track and get another permit. Mayor Baker said he would clarify the process with Craig. Dan Olsen **moved** to approve road cut permits for Clint Barton and AVW&S for new water and sewer connections at 2731 East 1500 South. Dennis Long **seconded** the motion. The motion passed with all voting aye.

The next road cut request was at 1875 South 2000 East. Dave Hatch said this is an existing connection where they need to move the meter. Mr. Hatch said the with the development of the subdivision near this house the meter will need to be moved because the lot it sits on has been sold. Gordon Kitchen **moved** to cut the road on 1875 South 2000 East. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

A road cut request was made for 761 South 2000 East. This would be for a new water connection. Kenneth Reynolds **moved** to approve the road cut. Gordon Kitchen **seconded** the motion. The motion passed with all in attendance voting aye.

Road Department - Jim Harper submitted two travel requests. The first request was for Ryan Cook and Jim Harper to attend a Storm Water Expo in Sandy. Mayor Baker wanted to know if they could double up on a motel room and save money. Jim said that would be fine. Dennis Long **moved** to approve \$688.10 for the travel. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

TRAVEL REQUESTS

Jim Harper requested approval to travel to Tooele for a heavy equipment training class. Dennis Long **moved** to approve \$779.31 for the training and travel. Kenneth Reynolds **seconded** the motion. The motion passed with a roll call vote as follows:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Court Clerk - Helen Bruenelle submitted a travel request to attend the fall court clerks conference in St. George. The total requested was \$546.62. Dan Olsen **moved** to approve the travel request. Dennis Long **seconded** the motion. The motion passed as follows:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Police Department - Chief Watkins asked for approval to attend Spillman training in Salt Lake City. Chief Watkins said they have recently completed updates to the Spillman system and they will be holding a class for administrators. The total requested was \$459.32. Dennis Long **moved** to approve the request. Dan Olsen **seconded** the motion. The motion passed with a roll call vote:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Chief Watkins asked for approval to purchase trauma kits for his police vehicles. Chief Watkins said Ivan Merrell is part of the ambulance garage and put together some kits the officers can carry in the door of their cars. He said these kits are east to grab and would have specific items for gunshot wounds, puncture wounds, etc. Chief Watkins said he asked Mr. Merrell to come and explain the items and their use for the kits and he agreed to do that for an additional \$50. The total amount requested was \$710. Kenneth Reynolds **moved** to approve the purchase. Dennis Long **seconded** the motion. The motion passed with a roll call vote as follows:

POLICE DEPARTMENT EXPENSES

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim Harper came before the Council with several purchase requests. Jim requested approval to replace the tires on the truck he drives. He said the tires are very worn and need replaced. Jim said the price is the state bid and they haven't increased from last year. Gordon Kitchen **moved** to approve the request in the amount of \$915.80. Kenneth Reynolds **seconded** the request. The motion passed as follows:

***EXPENDITURES IN THE
ROAD DEPARTMENT***

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim requested approve to purchase a truck load of winter cold mulch mix to repair pot holes. Jim said a load should last three or four years and the mixture works well for the winter. Kenneth Reynolds **moved** to approve \$1,579.20 for the cold mix. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

The next request from Jim was for a set of plow blades for the single axle dump truck. Jim said if they have a hard winter they can go through two or three sets. Gordon Kitchen **moved** to approve the expenditure of \$1,768.60 for blades. Dan Olsen **seconded** the motion. The motion passed as follows:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim Harper presented bids for road striping and explained the

paint specs for the striping. Jim said he inspected the roads to see which ones need it the most and felt 500 East and the industrial roads were the ones. Jim said they could do all of the roads with county specifications and stay within budget or they could do UDOT specs and do the roads that need it the most. Jim said with the increase in the bid prices they would not be able to do all of the roads in the City with the amount in the budget. Jim recommended doing 500 East, 1500 South, 1700 South, and 1300 South. Dennis Long **moved** to stripe the roads that are most needed with the State specifications up to the budgeted amount. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim Harper presented a request to purchase a new flat bed truck. Jim only received one bid for the truck and also received bids for a dump bed and a new light system. Jim said they would like to convert to a diesel engine and it was only \$1,500 more than the gas engine. Council members questioned if it would be worth it because of the cost of fuel and they do not put that many miles on the trucks. They reviewed the cost of the truck, the bids for the dump bed, and the cost for a new light system. Mayor Baker wanted to know if Jim checked the State bid on-line. Jim said he had not. Mayor Baker wanted to know if the amounts shown on the bid from Perry Motor include a state discount or just the amount to trade in the old truck. Jim thought it was the discounted amount with the trade in amount also listed. Mayor Baker said he didn't have a problem with getting a new truck but he did want clarification on the amounts listed on the bid. Gordon Kitchen **moved** to table the matter and to proceed when the information is received. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Jim Harper gave the Council members pictures of the cement culvert boxes they have stored at the shop. Jim wanted to know if the Council would approve getting rid of the boxes. Jim said the ends of the boxes are damaged and they can't seal them correctly. Gordon Kitchen **moved** to allow Jim to explore the options of disposing of the boxes and to put

***APPROVAL TO SURPLUS
CONCRETE CULVERT
BOXES***

them out for bid. Kenneth Reynolds **seconded** the motion.
The motion passed with all voting aye on roll call:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Mayor Baker read a letter addressed to the Utah Division of Oil, Gas and Mining. The letter outlined the concerns over the proposed mining project near the Ashley Springs, which supplies water to much of the area. Mayor Baker said he would like to put a discussion of the letter on the next Council agenda and seek the approval of the Council to send the letter.

***OTHER MATTERS AND
FUTURE COUNCIL
MATTERS***

Councilman Long said he recently read something in the paper that said the light on 2500 South would not be installed until the Spring. Councilman Long wanted to know if that was true. Mayor Baker said UDOT is still trying to acquire a parcel of land one of the poles will sit on. Mayor Baker said they are just moving through the process but that is the hold up.

With no other business before the Council, Gordon Kitchen **moved** to adjourn the meeting at 9:30 p.m. Dennis Long **seconded** the motion. The meeting was adjourned.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 11th DAY OF OCTOBER 2012

BY: _____

ATTEST: _____